What Students Need to Know about Freedom of Information and Protection of Privacy

A Resource for Grade 11/12 Teachers

September 2004

Acknowledgments

Dr. Ann Cavoukian, the Information and Privacy Commissioner of Ontario, gratefully acknowledges the work of:

Arlene Tanz
Writer

Jim Jacobs
Illustrator

Dick Holland
Allan Hux
Rob Mewhinney
Jane Miliken
Teachers/consultants who reviewed the material

Tom Mitchinson
Robert Binstock
Christine Floros
Murray Leaning
Carol Markusoff
Janice Nemeth
Bob Spence
Information and Privacy Commissioner/Ontario staff

Information and Privacy Commissioner for Alberta

Information and Privacy Commissioner/Ontario

2 Bloor Street East
Suite 1400
Toronto, Ontario
M4W 1A8

416-326-3333
1-800-387-0073
Fax: 416-325-9195
TTY (Teletypewriter): 416-325-7539
Website: www.ipc.on.ca

Preface

The Information and Privacy Commissioner/Ontario (IPC) provides an active outreach program to help increase the understanding of two very important public values: (1) open government; and (2) personal privacy. As part of this outreach program, the IPC has developed an elementary and secondary school program: ***What Students Need to Know about Freedom of Information and Protection of Privacy***.

What Students Need to Know provides an opportunity for students and their teacher to discuss why access to government-held information and personal privacy are important public values, and how these values are reflected in our relationships with governments.

The *What Students Need to Know* program is focused on introducing students to the importance of these two values, and how they are relevant to their lives. Our hope is that once the values are learned and understood, they will find expression and ongoing relevance as students mature.

A Resource for Grade 11/12 Teachers is an expanded version of the IPC's Grade 10 Teacher's Guide, and was created due to the interest expressed by a number of Grade 11 and 12 teachers for lessons on the topics of freedom of information and personal privacy. This document contains a number of activities which are designed to generate questions and stimulate group discussion of open government and privacy protection. The activities may be completed one at a time or in combination. Please note, the materials not covered in the Grade 10 Teacher's Guide are marked with an asterisk in the Table of Contents.

105-05169/

Table of Contents

Teacher's Notes ... *Page 1*

Activity 1 — Personal Information and Privacy Matters ... *Page 5*

Activity 2 — Freedom of Information Matters ... *Page 9*

Activity 3 — Consumer and Workplace Privacy: Using the Web ... *Page 13*

Activity 4 — Open Government and Personal Privacy ... *Page 15*

Sample Teacher Anecdotal Recording Sheet ... *Page 19*

Resources

Activity 1

Overhead 1 — Illustration
Handout 1 — Privacy Quiz
Handout 2 — A Day in the Life of a Student
Handout 3 — Case Studies: Privacy at Risk?*

Activity 2

Overhead 2 — Open Government
Overhead 3 — Using The Act
Handout 4 — Water Polluters Escaping Prosecution
Handout 5 — Question and Answer Sheet
Handout 6 — River Polluted
Handout 7 — Chernobyl: Once and Future Shock
Handout 8 — Question and Answer Sheet
Handout 9 — One In Four Students Default*
Handout 10 — Airborne Pollutants Detected At Landfills*

Activity 3

Handout 11 — Privacy Alert: A Consumer's Guide to Privacy in the Marketplace*
Handout 12 — Workplace Privacy: The Need for a Safety-Net*
Handout 13 — How to Fight Spam*
Handout 14 — What to do about Cookies*

Activity 4

Overhead 4 — Canada's Government*
Overhead 5 — Freedom of Information and Protection of Privacy Act*
Overhead 6 — Privacy Tips*

* Indicates material not covered in the Grade 10 *What Students Need to Know* program.

Teacher's Notes

Feedback Form

We really appreciate your feedback on this program so that we can ensure it is as effective, relevant and easy to use as possible. Please take a moment to complete the Teacher Feedback Form included with this package.

Assessment Activities

At the end of each activity is a student assessment, which is designed to assess a student's understanding of new concepts and the ability to apply them in written, oral, and visual forms.

Individual student anecdotal recording sheets can also be used to assess each student's abilities to communicate ideas orally and to participate in whole class and small group discussions. A sample recording sheet can be found at the end of Activity 4.

Have each student create a folder in which to store these materials.

Resources

The IPC website

The IPC website (*www.ipc.on.ca*) serves as a research and information tool. It is updated regularly and includes:

- information about the IPC's role and answers to frequently asked questions about access and privacy;
- annual reports;
- the text of the provincial and municipal *Freedom of Information and Protection of Privacy Acts*, as well as plain language summaries;
- all IPC orders, investigation reports and judicial reviews, with subject and section number indices;
- IPC publications such as policy papers, *IPC Practices* and *IPC Perspectives* (newsletter);
- links to other access and privacy websites in Canada and around the world; and
- links to other websites that provide information about access and privacy.

Media Awareness Network

The Media Awareness Network (*www.media-awareness.ca*) is a place where educators, parents, students and community workers can share resources and explore ways to make the media a more positive force in children's lives. The section (*www.media-awareness.ca/english/issues/privacy/index.cfm*) is focussed on the issue of privacy and includes such topics as new stories on privacy, privacy debates, how to become involved in privacy issues, a resource room, and information on legislation, codes, and practices.

Books for Teachers

The Privacy Payoff. Ann Cavoukian and Tyler J. Hamilton. Toronto: McGraw-Hill Ryerson, 2002.

Who Knows: Safeguarding Your Privacy in a Networked World. Ann Cavoukian and Don Tapscott. Toronto: Random House of Canada, 1995.

The Annotated Ontario Freedom of Information and Protection of Privacy Acts 1993. Colin H.H. McNairn and Christopher D. Woodbury. Scarborough, Ont.: Carswell, 1993.

An Educator's Guide to Freedom of Information. Brenda Stokes Verworn. Aurora, Ont.: Aurora Professional Press, 1999.

Government Information: Access and Privacy. Colin H.H. McNairn and Christopher D. Woodbury. Don Mills, Ont.: De Boo, 1989.

Practice and Procedure Before Administrative Tribunals; Robert W. Macaulay. Toronto: Carswell, 1988. Chapter 25.

The Privacy Rights Handbook: How to Take Control of Your Personal Information, Beth Givens. San Diego: Avon Books, Inc., 1997.

Internationally Recognized Privacy Principles

In 1980, the Organisation for Economic Co-operation and Development (OECD) developed a set of principles to ensure the fair treatment and handling of personal information collected by organizations. These principles are known as the Code of Fair Information Practices, and they form the basis of virtually all privacy legislation throughout the world.

The principles:

- Only the information that is really needed should be collected.
- Where possible, it should be collected directly from the individual to whom it pertains (the data subject).
- The data subject should be told why the information is needed.

- The information should be used only for the intended purpose.
- The information should not be used for other (secondary) purposes without the data subject's consent.
- The data subject should be given the opportunity to see his/her personal information and correct it if it's wrong.

Freedom of Information and Protection of Privacy Legislation in Canada

Freedom of information legislation in Canada gives members of the public a statutory right of access to government-held records. These laws operate in accordance with the general principles that:

- information should be available to the public;
- necessary exemptions to the right of access should be limited and specific; and
- decisions on the disclosure of government information should be reviewed independently of government.

The right of access to government records reflects an extremely important public value in mature democratic countries — it means that government is prepared to be open and accountable to its citizens.

Privacy protection legislation in Canada reflects the OECD's Code of Fair Information Practices. It creates rules the government must follow in order to protect an individual's right to privacy. These rules include:

- the right of access to one's own personal information, and the corresponding right to correct inaccurate personal information;
- the right to an independent review of any access decision;
- regulations governing the collection, retention, use, disclosure, and disposal of government-held personal information;
- the right to complain to an independent oversight body if anyone feels that these regulations have been breached.

Privacy protection is extremely important, especially in the computer age where technology can have a profound impact on the collection, use, and disclosure of personal information, as well as issues of storage and security. Without these rules and regulations, governments would have the power to infringe upon and control the lives of their citizens.

Federal Legislation

Privacy Act — Privacy Commissioner of Canada — The *Privacy Act* came into effect on July 1, 1983, replacing some limited personal information rights set out in Part IV of the *Canadian Human Rights Act*.

The federal Privacy Commissioner has oversight responsibilities for all federal government departments and agencies. He reviews decisions of the government regarding access to one's own personal information, and investigates complaints about breaches of the statutory rules and regulations regarding privacy. (Visit *www.privcom.gc.ca/index_e.asp* for more specific details.)

Access to Information Act — Information Commissioner of Canada — The *Access to Information Act* also came into effect on July 1, 1983.

The federal Information Commissioner has corresponding oversight responsibilities for freedom of information requests within the federal public sector. He reviews decisions of the government regarding access to government-held records, ensuring that any exemption claims are defensible, that searches for all relevant records are thorough, and that fees charges are reasonable. (Visit *www.infocom.gc.ca/menu-e.asp* for more specific details.)

Provincial Legislation

Most provinces and territories in Canada, including Ontario, have freedom of information and protection of privacy laws. All of these laws reflect the same public values of open government and protection of personal privacy, although coverage and powers vary from province to province. Some provincial legislation covers only provincial government organizations, while others cover both provincial and municipal government organizations; some cover hospitals, others cover universities, and some also cover self-regulating professional bodies. Most provinces and territories have an independent official with oversight responsibilities. Sometimes this is a provincial Ombudsman with the authority to recommend and persuade; in others, like Ontario, this person is a Commissioner with power to order the disclosure of records.

Private Sector

The underlying value of freedom of information law — public accountability through open government — has no application in the private sector. However, the value of privacy protection exists no matter what organization holds personal information.

On January 1, 2001, the federal *Personal Information Protection and Electronic Documents Act* came into force. The immediate impact was the extension of privacy protection to the federally-regulated private sector and to the transjurisdictional flow of personal information for commercial purposes. On January 1, 2004, the law expanded to cover provincially-regulated enterprises in those provinces that had not enacted very similar legislation.

Activity 1—Personal Information and Privacy Matters

Time Needed
60 minutes

Resources
Overhead 1 — Illustration
Handout 1 — Privacy Quiz
Handout 2 — A Day in the Life of a Student
Handout 3 — Case Studies: Privacy at Risk?

Organizing Ideas

This activity is designed to:

- define what constitutes personal information and privacy;
- demonstrate how personal information is collected during everyday activities; and
- demonstrate how that information can be used and abused.

Procedure

Step 1 *(10 minutes)*

Introduce the topic using Illustration 1 on the overhead projector. The following questions could be asked: What is happening in the illustration? What kind of information is being recorded? Why is this information being recorded? Are there situations where it is beneficial for the government to have personal information? What about situations where it would be harmful? Does the illustration convey a message about our society?

Step 2 *(25 minutes)*

Using Handout 1, have students work in pairs to complete the Privacy Quiz. Compare scores and record the class average. Discuss the questions that most students had trouble with and why this was so. Using the answer sheet provided, share this information with students. Invite students comments, questions, and concerns.

Review the statements of the quiz to have students identify what constitutes personal information. List these and other examples of items that constitute personal information.

Define the term "personal information" and add any missing items to your list. The following can be used as a reference:

> "Personal information is any information about you that is identifiable as yours, meaning that it has your name or any identifiable number (like your social insurance number) attached to it. Your personal information is your name plus any of the following: address, telephone number, sex, race, religion, ethnic origin, sexual orientation, medical records, psychiatric history, blood type, genetic history, prescription profile, fingerprints, criminal record, credit rating, marital status, education, place of work, employment history, personal interests, favourite movies, lifestyle preferences."

Refer to the title of the quiz and ask students to define the term "privacy."

Privacy is difficult to define because its meaning may change from one context to another. Nevertheless, three distinct types of privacy have emerged: territorial privacy, privacy of person, and informational privacy.

One definition of privacy is: "The right to be left alone."

Establish other categories for privacy, e.g., physical, genetic, workplace, communications, territorial (restricting people's access to one's private world).

Record students' comments about when privacy matters to them and when it does not.

Step 3 *(25 minutes)*

Using Handout 2, divide the class into groups of four and have the students discuss and record their responses to the questions posed in the handout.

Follow this with a class discussion.

Record students' comments about why privacy matters.

Extension *(60 minutes)*

Handout 3 — Case Studies: Privacy at Risk?

1. List the following types of invasion of privacy on the board: identity fraud, debit and credit card fraud, sharing or selling personal information to direct marketers without consent, and stalkers and harassment.

2. Using Handout 3, divide the class into pairs. Have each group read and discuss the case studies and, using the list on the board, identify and record on the handout the type of invasion of privacy each case represents. Select different pairs to identify and explain the cases. Some students may have personal examples to share.

3. Have the class recommend ways in which individuals can avoid invasion of their personal privacy.

   Note: Examples of the types of invasion of privacy identified in Handout 3: (1) identity theft, (2 & 3) debit and credit card fraud, (4 & 5) sharing or selling personal information to direct marketers without consent, and (6, 7 & 8) stalkers and harassment.

Student Assessment — Activity 1

Student Glossary

Have each student create a glossary of important concepts as you move through this study. The following is a list of terms for inclusion:

> Personal information, privacy, identity fraud, direct marketing, harassment, stalker, open government, freedom of information, accountability, democracy, Act, consumer privacy, workplace privacy, Information and Privacy Commissioner/Ontario, individual rights, protection of privacy.

Student questions and research will generate other words that can be added to the student glossary.

Assess the accuracy of each student's definitions and his/her ability to use the words in context.

Role Play: A Day in the Life of a Student

Divide the class into groups of four. Have each group decide on a type of monitoring it wants to mime before the class. Class members should then guess what type of monitoring this activity represents and comment on how it affects an individual's privacy.

Assess the extent to which each student is able to create and mime appropriate situations that illustrate an understanding of the concept of monitoring.

Assess the extent to which each student is able to work collaboratively with others to create scenarios.

Privacy at Risk: Case Studies

Use the chalk board to list of the following types of privacy invasion:

> Identity fraud, debit and credit card fraud, stalkers and harassment, and sharing or selling personal information to direct marketers.

Have each student create one case study for each type of privacy invasion. Invite students to read their examples and have other class members identify the privacy issue.

Assess the extent to which each student is able to create appropriate situations that illustrate an understanding of the concept of privacy.

Assess each student's ability to express his/her ideas in writing with clarity and persuasive details.

Activity 2 — Freedom of Information Matters

Time Needed
60 minutes

Resources
Overhead 2 — Open Government
Overhead 3 — Using The Act
Handout 4 — Water Polluters Escaping Prosecution
Handout 5 — Question and Answer Sheet
Handout 6 — River Polluted
Handout 7 — Chernobyl: Once and Future Shock
Handout 8 — Question and Answer Sheet
Handout 9 — One In Four Students Default
Handout 10 — Airborne Pollutants Detected At Landfills

Organizing Ideas

This activity is designed to:

- explain the concept of open government and its importance as a public value; and
- demonstrate how freedom of information laws reflect this value and the important role they play in ensuring government accountability.

Procedure

Step 1 *(10 minutes)*

Introduce the topic by asking students what open government means to them, and record their answers.

Using Overhead 2, make the basic point of what open government means, and position it within the context of evolving and maturing democracies.

Step 2 *(25 minutes)*

Using Overhead 3, identify freedom of information laws as the means of ensuring open government.

Divide students into pairs. Using Handout 4, have students read the newspaper article and record their answers to the following questions on Handout 5:

a. What are the key facts reported in this article?

b. If a freedom of information law didn't exist, which of these facts would not be known?

c. What issue in society is being addressed by having this information known publicly?

d. How has the right to obtain this information promoted the value of open government?

Have a general discussion of answers and record questions that emerge from the discussions for use in Activity 4.

Step 3 *(25 minutes)*

Divide students into foursomes. Using Handouts 6 and 7, have students read the two articles and record their answers to the following questions on Handout 8:

a. How would you compare the amount of information about the two environmental problems that was known by Canadian citizens versus citizens of the former USSR?

b. If the former USSR had a freedom of information law, could this have helped the citizens living near Chernobyl? How and why?

c. How would you compare the level of commitment to the value of open government of Canada with the former USSR, and why?

Have a general discussion of answers and record the questions that emerge from the discussion for use in Activity 4.

Extensions *(60 minutes each)*

The following activities could be done in class time or as a homework assignment with a follow-up discussion in class:

1. Repeat the activities under Step 2 using Handout 9 and/or Handout 10.

2. Historical Review

   Provide students with the following quote from the article **The Access to Information Act: Ten Years On**, written in 1994 and found on the Federal Access Commissioner's website at *http://infocom.gc.ca/publications*.

   > "Of the world's 187 independent countries, only 12 give citizens the legal right to government information. Canada is one of the nations that has taken the step to open the filing cabinets and databases of its bureaucracy. Just over a decade ago, Canada joined the ranks of this small, enlightened group of Western countries. The Access to Information Act and its companion legislation, the Privacy Act came into force on Canada Day, 1983. With this move, Parliament granted Canadians and landed immigrants the right to view their personal government-held records, and the legal right to all other government-held information, subject to specific and limited exemptions. While ten years is a modest milestone in the life of any legislation, it is an appropriate occasion on which to reflect upon the Act and how it has affected legal, social and administrative landscapes in Canada. A number of questions emerge in this process. How did the Act come into being? How has it functioned? Who has used the Act and to what ends? Have we come any closer to prying open the iron gates of Administrative secrecy? This brief history will attempt to answer these questions, as well as to raise a few about what may lie ahead on the information highway."

   Ask the students to read the article (9 pages) on the website, and answer the questions posed in the quotation: How did the Act come into being? How has it functioned? Who has used the Act and to what ends? How effective has Canada's legislation been?

Student Assessment — Activity 2

Cartoon: Using the Act

Using the "Charlie" cartoon as an example, ask students to think of situations where people benefit from freedom of information laws. Invite students to illustrate a situation in a humorous way. Provide an opportunity for students to share their work.

Assess the extent to which each student is able to identify appropriate situations and create a drawing and text that illustrates the point.

A Canadian Press Story: Using the Freedom of Information Act

As a homework assignment, have students scan newspapers each day for a week looking for stories that deal with the use of the Freedom of Information Act. Discuss the circumstances which led to the use of this law. (Teachers should have clippings on hand in case students are not successful in locating stories.)

Have each student write a press story that demonstrates how the right to obtain information promotes the value of open government. Use the newspaper articles in Activity 2 (Handouts 4, 6 and 7) to discuss how journalists present key facts and create effective accounts of the issues.

Assess the following for each student:

- writing skills
- the ability to communicate the main idea clearly
- the ability to present a point of view and support it with rich details
- the ability to present information in a written style that captures the audience's interest
- sensitivity to the public's level of knowledge

Activity 3 — Consumer and Workplace Privacy: Using the Web

Time Needed

To be determined by the availability of computers and access to the Internet

Resources

The IPC website — *www.ipc.on.ca*
Handout 11 — Privacy Alert: A Consumer's Guide to Privacy in the Marketplace
Handout 12 — Workplace Privacy: The Need for a Safety-Net
Handout 13 — How to Fight Spam
Handout 14 — What to do about Cookies

Organizing Ideas

Privacy is difficult to define because its meaning may change from one situation to another and views vary between individuals. Two major areas of increasing concern are consumer and workplace privacy.

In Ontario, there are no foolproof ways to ensure the protection of your personal privacy in the marketplace. However, as an informed consumer you can act responsibly and protect your privacy.

The convergence of a variety of social, economic, and technological trends have placed workplace privacy in jeopardy.

Procedure

1. Using Handouts 11 and 12, divide the students into groups of three and provide each group with one of the topics to research. Ensure that one member of the group is familiar with the Internet. Review the handout research questions and work out a schedule for using the Internet. If time is limited, students can make a printout of the information that applies to their topic.

2. Following the research, review the class findings for each of the topics. Have the students select the information they want to present.

3. Have students create Public Information Posters — one for each of the topics. The posters can be displayed in a prominent place in the school to educate others about these important issues.

Extension

Repeat steps 1–3, using Handouts 13 and/or 14.

Student Assessment — Activity 3

Student Presentations: Consumer and Workplace Privacy

Assess each student's ability to make an informative presentation, based on the following:

- an appropriate amount of material from an Internet search was selected
- findings are presented clearly and effectively
- ideas are supported with facts and details
- sensitivity to the interests and level of understanding of the audience is expressed
- ideas of the other students are questioned
- respect is shown to other students when their ideas are presented
- the ability to listen to others without interrupting

Public Information Posters

Assess the quality of the information presented in the posters (Activity 3 Procedure 3) for accuracy, interest, significance, and appeal to the student audience.

Activity 4 — Open Government and Personal Privacy

Time Needed
50 minutes

Resources
Overhead 4 — Canada's Government
Overhead 5 — *Freedom of Information and Protection of Privacy Act*
Overhead 6 — Privacy Tips

Organizing Idea

This activity is designed to expand student understanding of two important public values: open government and personal privacy.

Procedure

Step 1 *(30 minutes)*

Canada's Government (Overhead 4)

The purpose of this overhead is to discuss with the students the concepts of "open government" and "individual rights" regarding the governments of Canada.

After placing the overhead on the projector, point to the words "open government" and "rights." Inform students that "open government" and "individual rights" are two important principles of a democracy.

Ask the students the questions (Q) below. Sample answers (SA) follow.

Q: *Can anyone tell us what "open government" means?*

SA: People can learn about what the government is doing
People can question the government's actions
People can influence the government to change (e.g., protests, petitions)

Q: *What are "rights"?*

SA: Conferred power
Privilege which is granted
A legal entitlement

Recently Canadians acquired these important rights: freedom of information and protection of privacy. The Canadian Parliament granted us these rights on a federal level in 1983. The Province of Ontario enacted provincial legislation in 1988. In 1991, the Province of Ontario enacted a second piece of legislation which covers municipal governments in the province.

(Point to the words "freedom of information" and "protection of privacy.")

Q: *What is meant by the phrases "freedom of information" and "protection of privacy"?*

SA: "Freedom of Information" means citizens have the right to ask the government for information which it holds. To show the government's commitment to openness, the government put the right to access information into law.

"Protection of privacy" is an individual's right to have certain information about his or her self protected.

Freedom of Information and Protection of Privacy Act (Overhead 5)

This overhead provides the students with information about the *Freedom of Information and Protection of Privacy Acts*. After placing the overhead on the projector, ask the students about an Act.

Q: *What does the word "act" mean?*

SA: A law passed by the legislature

We are fortunate because our *Acts* have statements which define the values which we have been speaking about. The purpose of these *Acts* is two-fold. The *Acts* protect individuals' personal information. The *Acts* also give individuals the right to access government-held information.

Let's look at the provincial and municipal *Acts* or laws. Here's what they say about personal information.

(Point to the first paragraph and invite a student to read it.)

Q: *What kind of personal information do you think the government has about you?*

SA: Address
Sex
Age
Level of education
When you visited your doctor
Whether or not you have a driver's licence

Q: *Do you think the government has one big file on each person?*

SA: The government has no master file about each person. If you have dealt with a government organization, it will probably have information about you. For example, the school board will have your school records and the Ministry of Health has your doctor's billing records.

Here's what the *Act* says about our right to access government-held information.

(Point to the second paragraph and invite a student to read it.)

Q: *From what government organizations do you think you can request information?*

SA: Provincial ministries
Community colleges
School boards
Boards of health
Police commissions and police stations
Public utilities

Step 2 *(20 minutes)*

Privacy Tips (Overhead 6)

Students are active consumers. The privacy tips will provide them with matters they should consider when making transactions in the marketplace.

After placing the overhead on the projector, read the tips to the students.

Inform the students the next time they make a purchase with a bank card, are asked to fill out a form, or give some personal information to get a free offer, they should think about their privacy.

Ask several students to pick a tip on the list and indicate why he/she feels the tip is important.

Ask students whether getting free tickets or a free CD is always worth giving up some of their privacy.

Student Assessment — Activity 4

Assess each student's level of participation, based on the following:

- questions are asked
- information is volunteered
- ideas are questioned; respect is shown to other students when their ideas are presented
- the ability to listen without interrupting
- participation in the discussion

Sample Teacher Anecdotal Recording Sheet

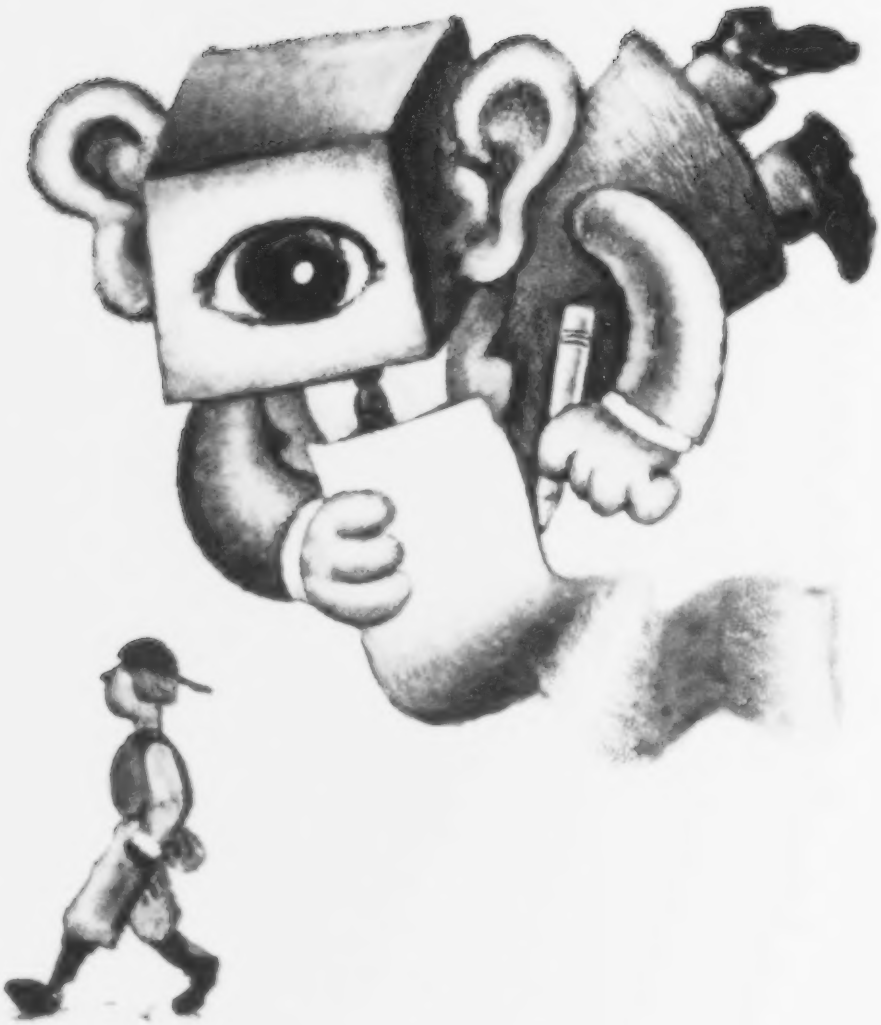
Student: _____

Scale: 1=seldom 2=occasionally 3=frequently 4=regularly

Performance Task	Scale			
communicates ideas clearly and effectively	1	2	3	4
demonstrates orally an understanding of the content	1	2	3	4
shows respect for the ideas of others	1	2	3	4
listens without interrupting	1	2	3	4
contributes to discussions	1	2	3	4
carries out assignments independently and completes them on time	1	2	3	4
works effectively in a small group	1	2	3	4

Resources

What Students Need to Know



Activity 1 — Handout 1 — Privacy Quiz

Source: Adapted from and used with permission of the Information and Privacy Commissioner for Alberta

True or False?

_____ 1. E-mail messages you send are private and cannot be read by others.

_____ 2. Others have the ability to read your messages on ICQ (I Seek You — Internet instant message service).

_____ 3. Your Internet activities can be tracked.

_____ 4. The government can use personal information it has compiled on you for any purpose it wants.

_____ 5. A teacher is allowed to search you for drugs or weapons.

_____ 6. A video store may use your Ontario Health Card number for identification when you apply for a membership.

Activity 1— Handout 1 — Privacy Quiz Answers

1. **False**. An unencrypted e-mail message is not private. An e-mail message sent from Toronto to New York could travel through servers in Montreal and Chicago before it reaches its final destination. Along the way, there may be "sniffers" and other software tools waiting to copy or tamper with the contents of the message. Some sniffers look for key words or names, while others watch for credit card numbers or passwords. To help prevent this from happening, consider using an e-mail encryption program. For additional information, visit the IPC's website to view the IPC publication, *E-mail Encryption Made Simple*.

2. **True**. There are programs that can take over an ICQ account and assume someone's identity (ICQ Hijack and icqspoof). You shouldn't use ICQ for anything except information you want to share with the rest of the world.

3. **True**. Your Internet activities could be tracked by something called a cookie. A cookie is akin to a Post-it Note — it stores information on the hard drive of your computer about you and your preferences for a particular website. A cookie can save you time if you visit the same site often, as you don't have to re-key your preferences every time you log on to that site. However, some people view this as an invasion of privacy. Cookies can be read by anyone with access — including remote access — to your computer. A review of these cookies could tell someone what sites you have visited on the Internet. But you can control the cookies you receive by configuring your browser to alert you whenever a website attempts to send a cookie. You may also be able to delete the cookies stored on your computer. Refer to your browser's help file for instructions.

4. **False**. In the Province of Ontario, the *Freedom of Information and Protection of Privacy Act* and the *Municipal Freedom of Information and Protection of Privacy Act* regulate how provincial and local governments can collect, use, disclose, and retain your personal information. Complaints can be made to the Information and Privacy Commissioner, who ensures compliance with the *Acts*.

5. **True.** A teacher or a principal has the authority to conduct a search where there are reasonable grounds to believe that a school rule has been violated and the evidence of the breach will be found on the student.

6. **False.** In Ontario, it is illegal to use a person's Health Card number for anything other than specific medical purposes. The use of your Health Card number is strictly regulated by legislation called the *Ontario Health Cards and Numbers Control Act*.

Activity 1 — Handout 2

A Day in the Life of a Student				
Time	**Activity**	**Type of Monitoring**	**What information is being collected?**	**How do you feel about this? Why?**
7:30 a.m.	Get up in the morning.			
8:30 a.m.	Pass a major intersection.	*Pass a traffic camera.*		
8:45 a.m.	Get on the school bus or public transit.	*Transit stations and some school buses have video monitoring.*		
9:15 a.m.	You're late, go to the office.	*The parent volunteer removes your name from the absentee list.*		
9:30 a.m.	Go on a field trip to the museum.	*Consent form requires parent's signature and date.*		
12:00 p.m.	Go to the office with a note allowing you to leave the school property for lunch.	*Your name is recorded in the lunch room attendance book.*		

Time	Activity	Type of Monitoring	What information is being collected?	How do you feel about this? Why?
1:00 p.m.	Return to school.	*Some schools have video monitoring in the halls.*		
2:00 p.m.	Leave school early for a doctor's appointment.	*The nurse in the doctor's office asks your parent for your health card number and medical history.*		
3:00 p.m.	Go to the drugstore with your parent to pick up a prescription.	*Your prescription is entered into the pharmacy database.*		
3:30 p.m.	Call your friend on a cellular phone.	*Anyone with certain scanning equipment could listen.*		
4:00 p.m.	Driving home, your parent is stopped by police and given a speeding ticket.	*Police check your parent's licence and driving record.*		

Time	Activity	Type of Monitoring	What information is being collected?	How do you feel about this? Why?
4:30 p.m.	Go to the local store for candy.	*A camera monitors you while you shop.*		
6:30 p.m.	Log on to the Internet, and visit a Web site.	*"Cookie" (tracking file) is stored on your computer.*		
6:45 p.m.	Type in your name and address to get a password to another Web site.	*You leave an electronic trail back to your computer.*		
7:00 p.m.	Read your e-mail and send messages.	*Your e-mail can be read by others in a variety of ways.*		
8:00 p.m.	Subscribe to a magazine or CD club.	*Direct marketers buy lists of names to learn about your preferences and interests.*		
11:00 p.m.	Go to bed.			

Source: Adapted from and used with permission of the Information and Privacy Commissioner for Alberta

Activity 1 — Handout 3 — Case Studies: Privacy At Risk?

Source: Adapted from and used with the permission of the Office of the Information & Privacy Commissioner for Alberta

Privacy is about control over your own information. If control is in the hands of someone other than you, your privacy can be lost. Once your privacy is lost, it is very difficult to get it back or repair any resulting damage.

Name the type of abuse of personal information in the space below each example.

1. A man, using someone's stolen birth certificate and SIN card, obtained a driver's licence from the provincial government. He then used these three pieces of ID to open fraudulent bank accounts and proceeded to steal more than $170,000 from several banks.

2. A reporter got a call from Canadian Tire because his application for a Canadian Tire credit card seemed suspicious. It turned out someone else had filled out the application. If the application had been approved, the criminal could have racked up purchases on the card, in the reporter's name. The person had also tried to apply for a Mastercard. These actions could have damaged the reporter's personal credit rating.

3. In an Interac scam, the cashier at a store "double-swiped" the shopper's debit card, once on the store's machine and then again to enter the data from the magnetic stripe on her own computer under the counter. Then, by watching the shopper closely, the cashier learned his PIN number. This made it possible to duplicate the debit card and access the shopper's bank account.

4. An actress in the United States was killed by an obsessive stalker, who had obtained her home address by hiring a private investigator. The investigator used a Department of Motor Vehicles licence database to find her address.

5. A woman received a 12-page letter from a stranger. He knew her birthday, the fact that she was divorced, the kind of soap she used in the shower, her favourite magazines, and many other details about her life. It turned out he was a convicted rapist, and one of his jobs at the prison was entering data from consumer surveys. The woman had sent in the questionnaire in order to get the free samples and coupons promised by the company. She had assumed her information would be kept confidential by company employees.

6. A woman returned home from a stay in hospital, where she had been diagnosed with cancer. The next day she received a phone solicitation from a local funeral home; the funeral home asked for her by name, even though she had an unlisted number. After much pressing, the salesperson admitted that he had been given her number by someone from the hospital.

7. Do you have an example? Add it here. (If you need more space, use the back of the page.)

Open Government

- The Government tells you what it wants you to know.

- The Government tells you what you want to know.

Using the Act

Using the "Freedom of Information Act," Charlie is sent a list of things they put in hot dogs.

Water polluters escaping prosecution

MARTIN MITTELSTAEDT
The Globe and Mail

Ontario's Environment Ministry has almost stopped prosecuting water polluters. Only three of the 134 companies and sewage plants that broke pollution laws in 1996 have been successfully taken to court.

Ministry inspectors noted more than 1,000 violations of provincial water-pollution rules during that year. At many of the facilities, there were multiple infractions.

The figures were obtained by the Sierra Legal Defence Fund under the province's freedom-of-information law after a legal battle lasting a year and a half. They are to be issued publicly in a report today. The government tried to prevent the environmental watchdog group from obtaining the data by demanding $20,000 for it. But the ministry was ordered to open its records at no cost after the group made an appeal to Ontario's Information and Privacy Commissioner.

"With over a thousand violations and only three prosecutions, it's no wonder [Environment Minister Norm Sterling] has been trying to keep this information from the public." said Stewart Elgie, a lawyer with the defence fund.

He said the ministry isn't protecting the environment from water pollution hazards.

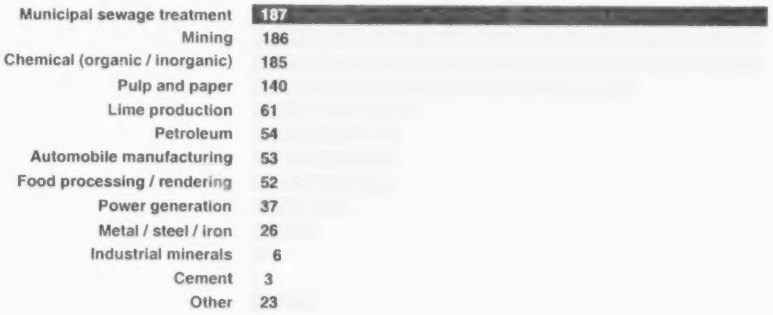
The Ministry's budget has been cut by about 45 per cent since 1995, and the group says the lack of enforcement is a sign that the government is no longer providing the resources to prosecute environmental criminals.

The province used to make public a list of prosecutions every year and also make frequent reports on waste-water offences, but the Conservative government of Mike Harris has stopped doing that. The figures obtained are the latest available.

The organization said several major companies in the province violated waste-water standards in 1996 and for the previous four years, including Petro-Canada at its refinery in Oakville; Ethyl Canada in Sarnia; Inco at facilities in Northern Ontario; Domtar at facilities in Trenton, and ICI at facilities in Cornwall.

RANKING THE POLLUTERS

Industries that exceeded Ontario water pollution limits, by number of violations in 1996



Source: Ontario Ministry of the Environment — The Globe and Mail

Seven municipal sewage plants were known to the government to be violating pollution laws for five years running. The largest communities with poorly functioning sewage works were Waterloo and Dundas, but the list also included Arnprior, Morrisburg, Bobs Lake Lagoon, Moosonee and Strathroy.

The three entities prosecuted for water-pollution violations in 1996 were: Malette Inc., which failed to report discharge of phenois, a corrosive and poisonous chemical, and was fined $8,000; Domtar Inc., which was fined $14,000 and made a $14,000 donation to a local conservation authority over charges relating to phenois and the acidity of its discharges; and Russell Waste Stabilization Pond, a sewage facility near Kingston that was fined $2,000 and made a voluntary conservation donation of $6,000.

Provincial-water pollution rules limit discharges of harmful substances and require companies and sewage plants to keep accurate records of what's in the waste they put out and report that to the ministry.

The worst polluters by sector in the province are sewage-treatment plants, the mining industry, chemical companies, and the forest-products industry, which each had at least 140 offences during 1996.

Karen Vaux a spokeswoman for the minister, said yesterday that some of the violations in the Sierra report represent single offences by companies or municipalities.

"Our priority is to get them to fix it and ensure that these types of occurrences don't happen again," she said.

All material copyright of the The Globe and Mail. March 1, 1999

Activity 2 — Handout 5

Please answer the following questions:

a. What are the key facts reported in this article?

b. If freedom of information law didn't exist, which of these facts would not be known?

c. What issue in society is being addressed by having this information known publicly?

d. How has the right to obtain this information promoted the value of open government?

Activity 2 — Handout 6

River polluted, document says

The Globe And Mail
May 29, 1997

CHALK RIVER, Ont. — For nearly 20 years, the nuclear complex in Chalk River leaked more than 4,000 litres radioactive water each and every day through the soil to the Ottawa River.

Even though Atomic Energy of Canada Ltd. removed the source of its leak in 1996, water is still percolating through soil that remains contaminated with radioactive tritium and strontium then into the river a few hundred metres away.

The Atomic Energy Control Board which regulates nuclear safety in Canada, acknowledged last December that Chalk River's NRX reactor had experienced a "mild" leak.

The board said then, and still says, that the Ottawa River dilutes the pollution, and there is no danger to people who drink the water.

But an access-to-information request filed by Lynn Jones of nearby Pembroke shows the leak carried large amounts of radioactive water into the river, which supplies drinking water for many communities downstream for nearly two decades.

The Atomic Energy Control Board was not particularly concerned with the leak because the amount of radioactivity released was two million times less than regulatory limits, said Board spokesman Robert Potvin.

A Canadian Press story published in The Globe and Mail. All material copyright The Canadian Press. — *May 29, 1997*

Activity 2 — Handout 7

CHERNOBYL: ONCE AND FUTURE SHOCK

A liquidator's story

For the first time in print, a Belarusian scientist gives his personal recollections of the secrecy that, in the crucial period immediately following the Chernobyl accident, left the unsuspecting public exposed to fallout

ON THE Monday morning, 28 April, at the Nuclear Energy Institute of the Belarusian Academy of Sciences, I switched on the apparatus - the gamma-spectrometer and the dosimeters: everything was (in physicists' slang) 'hot', which meant that there had been a big nuclear accident on the Institute's premises: our dosimetrist ran out of the laboratory, and reported that the level in the yard was about 300 microroentgens an hour. Then he was summoned by telephone to monitor the radiation contamination round the nuclear reactor of the Institute of Radioactive Technology; so that was the main source of the accident! But they had their own dosimetrists there, and the dose level was almost the same; the same was true in the vicinity of a third nuclear device... Moreover, it was clear that the radiation levels fell the further one went inside the building... When the head of the dosimetry service, A Lineva, telephoned the Central Public Health Station of Minsk, they said, 'This is not your accident.'

We looked at the tall smoke-stack, and then at the map of Europe, and we saw that the wind was blowing radiation towards Sweden. In fact, we learned later, on 1 May the level of radioactive contamination in Stockholm was 17 Curies per square kilometre from Caesium-137, and 87 Curies per square kilometre from Iodine-131).

But in our place, they brought me in a twig from the yard, and I observed that it was emitting radiation...the gamma-spectrometer showed Iodine-131 and other 'young' radionuclides... Later we tested soil and trees from many regions of Belarus, and the Institute started to measure the specific activity of foodstuffs arriving for the Institute canteen and the crêche.

Meanwhile, the dosimetry service headed by M V Bulyha was monitoring the radiation cloud hanging above Minsk.

We started to ring our relatives and friends in Minsk, advising them about safety measures. But this did not last long: at around midday, our telephones were cut off. And a couple of days later, we specialists were called into the Secrecy Department, and made to sign a 29-point document forbidding us to divulge secrets connected with the accident at the Chernobyl-plan. These included the structure of the RDMK-1000 reactor, the amount of uranium, etc, 'secrets' that had already been published in scientific literature.

And meanwhile out in the street, radioactive rain was falling...

We went home from work without looking from side to side; it was painful to see how the children were playing in the radioactive sand, and eating ices.

In our street, I went up to a street vendor and told her to stop selling her sausages, as radioactive rain was falling. But she just said: 'Be off, you drunkard! If there'd been an accident, they'd have announced it on radio and TV.' A naive soul, she believed in the righteousness of the Soviet authorities.

In the evening, on Central TV, Moscow showed us how tractors with great swirls of dust behind them were tilling the soil down in Naroula country, part of which lies in the 30-kilometre zone around the Chernobyl station. Then, on 1 May, as always, children and adults marched in columns through the streets without even guessing at the consequences. So now, today, in Belarus we have some 400 children with thyroid cancer...who at that time knew nothing about Iodine-131...

Mikhail Byckau is a nuclear physicist, who from mid-May 1986 until his retirement from the International Sakharov Institute of Radioecology in April 1995, played an active role in the 'liquidation' (clean-up) and monitoring programmes in the contaminated area

— Translated by Vera Rich

This article was published in Index 1/96 by Index on Censorship (*www.indexoncensorship.org*), which has granted permission for it to be reprinted here.

Activity 2 — Handout 8

On April 26, 1986 there was a major accident at the Chernobyl nuclear power station, located in Ukraine about 20 km south of the border of Belarus. At that time, Belarus was part of the country that is now known as Russia. The accident resulted in the release of large quantities of radioactive substances into the atmosphere and had devastating effects on the population, livestock and the environment.

Please read the article *Chernobyl: Once and Future Shock* then answer the following questions:

a. How would you compare the amount of information about these two environmental problems that was known by Canadian citizens versus citizens of Belarus?

b. If the former USSR had a freedom of information law, could this have helped the citizens living near Chernobyl? How and why?

c. How would you compare the level of commitment to the value of open government of Canada with Belarus, and why?

Activity 2 — Handout 9

One in four students default

BY JEFF HARDER
Queen's Park Bureau

TORONTO — Students are walking away from their government-sponsored loans in record numbers, show documents obtained by Liberal MPP Lyn McLeod.

"I have a freedom of information request that tells me the default on Ontario student loans is up to 23.5% this year; from 18.6% last year," she said in the Legislature yesterday.

The student loan program has more than $500 million worth of bad debt, $80 million of which was put on the books last year.

"This isn't because of an unwillingness to pay, it's because graduates can't manage the debt they have now," McLeod said.

Education Minister Dave Johnson conceded that deadbeat borrowers are a huge problem.

"It's always a concern when there are defaults," he said. "I can tell you this ministry continues to look at the rate ... We are not giving up."

McLeod blames soaring tuition fees for the financial stress. The province will allow tuition to rise by 20% over the next two years.

"Surely, minister, you realize that the increases in tuition and the increasing debt that you have already allowed are crippling our graduates," McLeod said.

Education ministry officials believe many former students give up the loans for selfish reasons.

"In the projections made by the ministry, the number of wilful defaulters has been estimated at 3.5% of borrowers," show the papers obtained by McLeod.

All material copyright The Ottawa Sun.
—May 26, 1998

Activity 2 — Handout 10

Airborne pollutants detected at landfills

TORONTO — Vinyl chloride and benzene, both associated with cancer in humans, and more than a dozen other volatile organic chemicals have been found seeping into the air from major landfills in the Toronto area.

The concentrations were almost all within regulatory standards but were high enough to make Ministry of the Environment researchers uneasy and delay real estate development near a landfill in Mississauga, a Toronto newspaper reported today.

Hundreds of pages of documents dealing with the possibility that residents near three large Toronto area landfills could be exposed to harmful chemicals in the air were obtained by the Globe and Mail under provincial freedom of information legislation.

Most research on landfills has investigated their water pollution and explosion risks. Leachate, the soggy pollution-filled water that runs off dumps can foul groundwater, while the methane that builds up from the decaying organic matter in dumps can cause explosions.

But the Ontario documents, compiled over the past four years, are an extensive attempt to investigate whether landfills pose an additional and unexpected hazard from the decomposition of plastics.

Ministry research has found a plume of potentially dangerous chemicals "downwind of Toronto landfill sites"and the "monitoring results indicate potential health-related concerns with ambient air quality around landfills," according to the records.

Environmentalists say the results indicate that dangerous substances from household and industrial hazardous waste are making their way into dumps.

"It's got to come from somewhere,"said Lois Corbett, executive director of the Toronto Environmental Alliance. "It's because we dump them there. Landfills don't sit back and magically produce toxic materials."

The ministry records showed the biggest concerns were about vinyl chloride, a sweet-smelling gas that is associated with brain, lung and lymphatic cancers, along with other volatile organic chemicals researchers said "are consistently found in landfill gas."

"Given the seriousness of this issue and the potential health implications if higher concentrations of vinyl chloride were to occur the ministry will require Toronto to take all necessary steps to minimize (vinyl chloride) emissions." said one document, referring to the Keele Valley landfill — the largest in the province — in Vaughan north of Toronto

The documents also show that ministry staff felt pressured to allow real estate companies to move into an exclusion zone they set up around the Britannia dump in Mississauga where development had been frozen because of vinyl chloride concerns.

Besides the Keele and Britannia dumps, the ministry also checked for chemicals in the air around the Brock West landfill In Pickering.

The testing was done in response to complaints by residents about the garbage-like stench coming from the dumps.

The three sites are the repositories for most of the waste generated in the Toronto area over the past 15 years.

A Canadian Press story published in The Kitchener-Waterloo Record. All material copyright The Canadian Press.
—November 26, 1998

Activity 3 — Handout 11

Access the paper *Privacy Alert: A Consumer's Guide to Privacy in the Marketplace* on the IPC's website at *www.ipc.on.ca*. Please answer the following questions:

1. Does the Canadian public feel that consumer privacy is an important issue? If so, what are the concerns?

2. Create a checklist to help consumers safeguard their privacy in the marketplace.

3. Refer to the "**A day in the life**" section of the research paper.

   a. What are the features of the "brave new marketplace"?

   b. Describe a new kind of property right.

   c. What kind of legislation protects the Ontario consumer?

4. Have you ever entered a contest? What information did you provide? Given what you know now, would you do anything differently regarding entering a contest?

Activity 3 — Handout 12

Access the paper ***Workplace Privacy: The Need for a Safety-Net*** on the IPC's website at *www.ipc.on.ca*. Please answer the following questions:

1. What are the key workplace privacy issues? Briefly describe each one.

2. Do you think a workplace safety-net is important?

3. Describe the key components of the IPC's workplace safety-net.

4. What recommendations does the IPC make to expand the individual's right to privacy in the Ontario workplace?

5. Can you give examples of other invasions of privacy that could happen in the workplace?

6. Can you think of other ways that privacy in the workplace can be protected?

Activity 3 — Handout 13

Access the paper ***If you wanted to know … How to Fight Spam*** on the IPC's website at *www.ipc.on.ca*. Please answer the following questions:

1. What is spam?

2. Why is spam a problem?

3. What steps can you take to reduce the flow of spam?

4. What is a filter? How do you set it up?

5. Have you ever received spam e-mail?

6. How did you feel about receiving spam e-mail?

7. What did you do about receiving spam e-mail?

Activity 3 — Handout 14

Access the paper ***If you wanted to know … What to do about Cookies*** on the IPC's website at *www.ipc.on.ca*. Please answer the following questions:

1. What is a "cookie"? What is stored in it?

2. Why are cookies used?

3. Are there situations when a cookie could be useful? When?

4. What can you do about cookies?

5. Where can you get more information about guarding your privacy online?

Canada's Government

- Open Government
- Rights
- Freedom of Information
- Protection of Privacy

Freedom of Information and Protection of Privacy Act

- The *Act* requires that the government protect the privacy of an individual's personal information existing in government records.

- The *Act* also gives individuals the right to request access to government-held information, including most general records and records containing individuals' own personal information.

Privacy Tips

- Ask someone who wants your personal information why he/she wants it and what he/she will do with it.
- Give only the minimum amount of information required.
- Ask who gets to see your information.
- Look for an opt-out box on any form that asks for your personal information.
- Beware of free coupons, special rebate offers, or contest forms, which are often marketing techniques.
- Provide as little information as possible for free offers.
- Pay cash to minimize the amount of personal information circulating about you.
- Sometimes when you pay in cash, the store clerk will still ask you for your name, address, or other information. When this happens, ask why this information is needed and what it will be used for.
- Do not give out your Social Insurance Number (SIN) unless it is required by law or legitimately needed.

Information and Privacy
Commissioner/Ontario

2 Bloor Street East
Suite 1400
Toronto, Ontario
M4W 1A8

416-326-3333
1-800-387-0073
Fax: 416-325-9195
TTY (Teletypewriter): 416-325-7539
Website: www.ipc.on.ca